



June 14, 2021

**VIA ELECTRONIC FILING**

Jerisha Dukes, Esquire  
**Public Service Commission of South Carolina**  
101 Executive Center Drive  
Columbia, South Carolina 29210

RE: Michael Hochgraf v. Dominion Energy South Carolina, Inc.  
Answer of Dominion Energy South Carolina, Inc.  
Docket No. 2021-165-E

Dear Ms. Dukes:

On or about May 18, 2021, Mr. Michael Hochgraf commenced the instant action by filing a complaint with the Public Service Commission of South Carolina ("Commission") regarding his electric service at his residence at 3144 Cross Vine Lane in Summerville, South Carolina.

By way of this letter, Dominion Energy South Carolina, Inc. ("DESC" or "Company") hereby answers the Complaint. Any allegations not specifically admitted herein are denied.

**Hochgraf Allegation #1**

Mr. Hochgraf alleges that "[t]he electrical power that [DESC] provides to [his] new house is not reliable."

**DESC Answer #1:** DESC denies this allegation. DESC avers that its electric service is reliable (and Mr. Hochgraf has not presented any evidence demonstrating otherwise). DESC avers that in 2020, the System Average Interruption Duration Index ("SAIDI")—the average total minutes of outage time for a customer in a year—was better (i.e., lower) for the circuit serving Mr. Hochgraf's residence than the SAIDI for the Low Country District and the DESC system as a whole. DESC further avers that, in his April 6, 2021 email to Ms. Kimberly Eads and Mr. Richard Gilbert of Dominion Energy South Carolina, Inc., Mr. Hochgraf references the two-week voltage monitoring that DESC conducted from October 20, 2020, to November 2, 2020, and states that "[w]e haven't spoken recently because the power delivery has been stable."

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What Mr. Hochgraf complains about are the circuit breakers which were installed in his home by a third party (not DESC) and which are downstream of the point at which DESC provides its service. DESC is not responsible for the operation of the circuit breakers, which are the Customer's equipment and located downstream of the point at which DESC provides its service. Paragraph V.A. of the Company's Commission-approved General Terms & Conditions for Electric Service provides as follows:

The Company shall not be in any way responsible or liable for damages to or injuries sustained by the Customer or others, or by the equipment of the Customer or others by reason of the condition or character of Customer's wiring and equipment, or the wiring and equipment of others on the Customer's premises. The Company will not be responsible for the use; care or handling of electricity delivered to the Customer after it passes the service point. The Customer assumes responsibility and liability for damages and injuries caused by failures or malfunctions of Customer's equipment.

### **Hochgraf Allegation #2**

Mr. Hochgraf further alleges that “[t]here is documented history detailing that [DESC]’s electrical service to [his] new house (and widespread through other houses in specific areas within [his] NEW community) often causes the GFCI/AFCI (arc-fault) circuit breakers in my new house to trip upon power failure and/or upon restoration.”

**DESC Answer #2:** DESC denies the allegation that its electric service “often causes the GFCI/AFCI circuit breakers in [his] new house to trip.” Mr. Hochgraf has not provided any such documented history demonstrating that DESC’s electric service “causes the GFCI/AFCI circuit breakers in [his] new house to trip” or that the persistent, “multiple simultaneous AFCI trips” that he is allegedly experiencing in his own house are “widespread” in specific areas within his community. Furthermore, DESC avers that its service is reliable and that it is not responsible for the operation of the circuit breakers in Mr. Hochgraf’s residence. See DESC Answer #1.

### **Hochgraf Allegation #3**

Mr. Hochgraf alleges that DESC “advised [him] that this is not a ‘normal’ condition and that this is unique to sections within [his] new community.”

**DESC Answer #3:** DESC denies this allegation. It is perfectly normal for a breaker to trip during an outage and a breaker tripping during an outage is not unique to the Cresswind community. DESC admits that, in October 2020, when Mr. Hochgraf

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described to Ms. Eads and Mr. Gilbert on their visit to his residence the randomness of breakers tripping during outages with different breakers tripping from event to event, Mr. Gilbert indicated that he found that randomness “odd”; however, DESC avers that, during that same conversation, Ms. Eads explained in detail why such operation of AFCI/GFCI breakers was not so uncommon. DESC has received no complaints from others in Mr. Hochgraf’s community regarding persistent, “multiple simultaneous AFCI trips” like those that Mr. Hochgraf is allegedly experiencing in his residence. Furthermore, DESC avers that its service is reliable and that it is not responsible for the operation of the circuit breakers in Mr. Hochgraf’s residence. See DESC Answer #1.

#### **Hochgraf Allegation #4**

Mr. Hochgraf alleges that “[w]hen this power outage situation occurs, as it did most recently on April 6, 2021 at approximately 2 PM, the tripped circuit breakers must be manually reset to restore power to the affected areas in the house.”

**DESC Answer #4:** DESC admits that its system experienced an outage affecting Mr. Hochgraf’s service on April 6, 2021, at 2:09 p.m. which lasted for approximately 16 seconds. DESC admits that if and when a circuit breaker trips during a power outage or any other time, it must be manually reset.

#### **Hochgraf Allegation #5**

Mr. Hochgraf alleges that “[a]s a result of the April 6 power outage, I had 50% (9 of 18) of my AFCI circuit breakers trip which I had to manually reset.”

**DESC Answer #5:** DESC is without sufficient information to form a reasonable belief as to the truth of Mr. Hochgraf’s allegation that “50% (9 of 18) of [Mr. Hochgraf’s] AFCI circuit breakers trip[ped]” during the April 6, 2021 outage. DESC avers that it is not responsible for the operation of the circuit breakers in Mr. Hochgraf’s residence. See DESC Answer #1.

#### **Hochgraf Allegation #6**

Mr. Hochgraf further alleges that “other recent power failures with resulting multiple circuit breaker failures” occurred on August 6, 2020, at approximately 2:30 PM, and on August, 17, 2020, at approximately 5:30 AM.

**DESC Answer #6:** DESC admits that its system experienced an outage affecting Mr. Hochgraf’s service on August 6, 2020, at 2:05 p.m. which lasted for 14 minutes. DESC denies that its system experienced an outage affecting Mr. Hochgraf’s service on August 17, 2020, but admits that its system experienced an outage affecting Mr.

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Hochgraf's service on August 18, 2020, at 5:26 a.m. which lasted for 35 minutes. DESC is without sufficient information to form a reasonable belief as to the truth of Mr. Hochgraf's allegations that of "multiple circuit breaker failures" inside his home during these outages. DESC avers that it is not responsible for the operation of the circuit breakers in Mr. Hochgraf's residence. See DESC Answer #1.

#### **Hochgraf Allegation #7**

Mr. Hochgraf further alleges that "[t]his circuit breaker tripping problem is greatly disturbing my life. It greatly diminishes the effectiveness of our standby generator, and has resulted in spoiled food in our refrigerator."

**DESC Answer #7:** DESC is without sufficient information to form a reasonable belief as to the truth of Mr. Hochgraf's allegations. DESC avers that it is not responsible for the operation of the circuit breakers in Mr. Hochgraf's residence. See DESC Answer #1.

#### **Hochgraf Allegation #8**

Mr. Hochgraf further alleges that "this problem appears to be limited in the Cresswind development to phases 3, 4, and 5" and that "phases 1 and 2 are not affected."

**DESC Answer #8:** DESC is without sufficient information to form a reasonable belief as to the truth of Mr. Hochgraf's allegations. DESC has received no complaints from others in Mr. Hochgraf's community regarding persistent, "multiple simultaneous AFCI trips" like those that Mr. Hochgraf is allegedly experiencing in his residence. See DESC Answer #3. DESC avers that it is not responsible for the operation of the circuit breakers in its customers' residences. See DESC Answer #1.

#### **Hochgraf Allegation #9**

Mr. Hochgraf further alleges that "[t]here is a widespread situation in the Cresswind community whereby AFCI circuit breakers trip after/during a power outage;" that "[t]his is not normal circuit breaker tripping, but rather multiple simultaneous AFCI trips immediately upon power failure (and perhaps upon a brief attempt on power restore)."

**DESC Answer #9:** DESC is without sufficient information to form a reasonable belief as to the truth of Mr. Hochgraf's allegation. DESC has received no complaints from others in Mr. Hochgraf's community regarding persistent, "multiple simultaneous AFCI trips" like those that Mr. Hochgraf is allegedly experiencing in his residence. See DESC Answer #3. If there is such a situation, DESC would not

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expect to receive such reports since circuit breakers tripping is a problem for the homeowner to resolve with a third party, not DESC. DESC avers that it is not responsible for the operation of the circuit breakers in its customers' residences. See DESC Answer #1.

#### **Hochgraf Allegation #10**

Mr. Hochgraf further alleges that "both [DESC] and Power Plus Systems ([t]he only electrical company used in [his] community) concur that circuit breakers tripping in this manner are not a normal condition."

**DESC Answer #10:** DESC is without sufficient information to form a reasonable belief as to the truth of Mr. Hochgraf's allegation regarding Power Plus Systems' belief. DESC denies the allegation as it relates to DESC.

#### **Hochgraf Allegation #11**

Mr. Hochgraf further alleges that "the problem began before 2020, but has been formally documented starting in June 2020" and that "[o]n April 6, 202[1], we experienced another power outage with widespread examples of circuit breakers tripping upon power failure."

**DESC Answer #11:** DESC is without sufficient information to form a reasonable belief as to the truth of Mr. Hochgraf's allegations that "the problem began before 2020" and that there were "widespread examples of circuit breakers tripping" during the power outage on April 6, 2021. DESC avers that its service is reliable and that it is not responsible for the operation of the circuit breakers in Mr. Hochgraf's residence. See DESC Answer #1.

DESC admits that, by email dated October 1, 2020, Mr. Hochgraf provided Ms. Eads with what he characterized as a "Fault LOG" for his house. Mr. Hochgraf's "Fault LOG" identified "faults" on June 5, 2020; August 6, 2020, and August 17, 2020. (On information and belief, DESC avers that Mr. Hochgraf incorrectly identified August 17, 2020, as a date on which a fault occurred. See DESC Answer #6.). Mr. Hochgraf indicated that no tripping occurred on June 5, 2020. For the other two events, Mr. Hochgraf's log provided a breaker number, breaker AMP Rating, breaker color, and breaker blink pattern.

#### **Hochgraf Allegation #12**

Mr. Hochgraf further alleges that "[b]eginning in 2020, [he] ha[s] been in personal contact with both [DESC] (Richard Gilbert, Manager of Electrical Distribution Operations, Summerville) and Chris Waltz (CEO of Power Plus Systems)" and that

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“[b]oth companies acknowledge this is a unique problem to Cresswind, and particularly ‘interesting’ that it is limited to phases 3, 4, and 5” and not phases 1 and 2.

**DESC Answer #12:** DESC admits that Mr. Hochgraf contacted Mr. Gilbert in 2020. DESC denies Mr. Hochgraf’s allegation that DESC “acknowledge[s] this is a unique problem to Cresswind and particularly ‘interesting’ that it is limited to phases 3, 4, and 5.” See DESC Answer #3. DESC avers that it has not received any reports from other customers regarding persistent “multiple simultaneous” tripping of AFCI breakers in the other phases of the Cresswind community.

### **Hochgraf Allegation #13**

Mr. Hochgraf further alleges that “[r]egarding the power outage on April 6, 2021, Chris Waltz[, the CEO of Power Plus Systems,] followed up with Eaton Engineering (the circuit breaker manufacturer) on [Mr. Hochgraf’s] notification email to [Mr. Waltz] on April 6, 2021, wherein [Mr. Hochgraf] notified [Mr. Waltz] (and [DESC]) that [Mr. Hochgraf] had 9 circuit breakers trip from the power outage.

**DESC Answer #13:** DESC is without sufficient information to form a reasonable belief as to the truth of Mr. Hochgraf’s allegation regarding whether Mr. Waltz followed up with Eaton Engineering regarding Mr. Hochgraf’s outage on April 6, 2021.

### **Hochgraf Allegation #14**

Mr. Hochgraf further alleges that “Power Plus Systems replaced all 25 of my Arc Fault circuit breakers on 11/23/2020 . . . at the direction of Eaton Engineering” and that “the new circuit breakers were the latest and redesigned ‘TL’ version,” which were “supposed to eliminate the tripping-on-power-fail problem” but did not.

**DESC Answer #14:** DESC is without sufficient information to form a reasonable belief as to the truth of Mr. Hochgraf’s allegation regarding the actions of Power Plus Systems and Eaton Engineering.

### **Hochgraf Allegation #15**

Mr. Hochgraf further alleges that “Chris Waltz told [him] on April 6, 2021, that the Eaton Engineers looked at the photo I sent of my tripped breakers and absolutely concluded that the pattern of the failed circuit breakers (‘A’ leg, ‘phasing’ problem) was caused by a power supply problem, not associated with a normal power outage.”

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**DESC Answer #15:** DESC is without sufficient information to form a reasonable belief as to the truth of Mr. Hochgraf's allegations regarding what the Eaton Engineers may have stated to Mr. Waltz and what Mr. Waltz may have stated to Mr. Hochgraf and demands strict proof of each of these hearsay statements. DESC denies that the tripped breakers on April 6, 2021, if any, were caused by a power supply problem to Mr. Hochgraf's home. DESC avers it is providing reliable service, and there is no "power supply problem" to Mr. Hochgraf's residence. See DESC Answers #1 and #16.

#### **Hochgraf Allegation #16**

Mr. Hochgraf further alleges that DESC "performed a six-week instrument analysis (October – November 2020) of the power delivered to [his] house" and that "[a]t the conclusion of the test/analysis, DESC advised [him] that the delivered power was 'within specs.'"

**DESC Answer #16:** DESC denies that it conducted a "six-week instrument analysis" of the power delivered to Mr. Hochgraf's home, but admits that it installed a monitor to record the voltage at Mr. Hochgraf's residence for two weeks from October 20, 2020, to November 2, 2020. DESC further admits that, at the conclusion of the monitoring, DESC advised Mr. Hochgraf that the delivered power was "within specs," i.e., the voltage was within +/- 10% of the standard average voltage during the monitoring period. See Commission Regulation 103-363 ("The voltage variations for service should not exceed 10% above or below the standard average voltage.").

#### **Hochgraf Allegation #17**

Mr. Hochgraf further alleges that he advised DESC that "the only relevant data [he] required was not analyzed – that of what occurs during a power failure" because there was no power outage during the test period.

**DESC Answer #17:** DESC admits Mr. Hochgraf made this statement to DESC; however, DESC denies that "what occurs during a power failure" is relevant data that still needs to be analyzed and avers that it explained to Mr. Hochgraf why this data was not necessary at the time Mr. Hochgraf made his alleged statement. DESC avers that the voltage was measured for a sufficient length of time to determine that there is not a power supply problem to Mr. Hochgraf's residence. AFCI and GFCI nuisance trips are a known issue that has not been resolved by the various appliance or breaker manufacturers at this time.

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### **Hochgraf Allegation #18**

Mr. Hochgraf alleges that Mr. Gilbert has “failed to respond to [his] multiple emails and phone messages since April 6, 2021.”

**DESC Answer #18:** DESC admits that Mr. Gilbert has not communicated to Mr. Hochgraf since April 6. DESC avers that it has repeatedly advised Mr. Hochgraf that there is no power supply issue to Mr. Hochgraf’s home and that there is nothing further that DESC can do to resolve his problems with the breakers inside his house. DESC avers that it is not responsible for the operation of the circuit breakers in its customers’ residences. See DESC Answer #1.

### **Hochgraf Request for Relief**

In his Complaint form, Mr. Hochgraf requests that DESC “provide reliable electric service to [his] house that eliminates the historical problem whereby AFCI circuit breakers . . . trip upon power failure and/or upon power restoration” and that DESC “resolve this ongoing problem on an urgent basis . . . .”

**DESC Response:** As discussed above, DESC is providing reliable electric service to Mr. Hochgraf’s house, and DESC is not responsible for the operation of the circuit breakers in Mr. Hochgraf’s (or any other customer’s) residence, which are installed by third parties and located downstream of the point at which DESC provides its service. Paragraph V.A. of the Company’s Commission-approved General Terms & Conditions for Electric Service provide as follows:

The Company shall not be in any way responsible or liable for damages to or injuries sustained by the Customer or others, or by the equipment of the Customer or others by reason of the condition or character of Customer's wiring and equipment, or the wiring and equipment of others on the Customer's premises. The Company will not be responsible for the use; care or handling of electricity delivered to the Customer after it passes the service point. The Customer assumes responsibility and liability for damages and injuries caused by failures or malfunctions of Customer's equipment.

Mr. Hochgraf will need to work with an electrician and/or the manufacturer of the circuit breakers to resolve these issues with AFCI/GFCI breakers that have been installed in his home.

By copy of this letter, DESC serves this answer upon Mr. Hochgraf as well as counsel for the ORS and encloses a certificate of service to that effect.

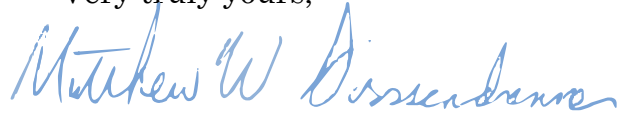


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If you have any questions or concerns, please do not hesitate to contact us.

Very truly yours,



Matthew W. Gissendanner

MWG/kms  
Enclosures

cc: Mr. Michael Hochgraf  
Alexander W. Knowles, Esquire  
(both via electronic mail and U.S. First Class Mail w/ enclosure)

**BEFORE**  
**THE PUBLIC SERVICE COMMISSION OF**  
**SOUTH CAROLINA**  
**DOCKET NO. 2021-165-G**

**IN RE:**


Michael Hochgraf, )  
 )  
Complainant/Petitioner, )  
 )  
v. )  
 )  
Dominion Energy South Carolina, Inc., )  
 )  
Defendant/Respondent. )  
\_\_\_\_\_ )

**CERTIFICATE OF  
SERVICE**

This is to certify that I have caused to be served this day copies of **Dominion Energy South Carolina, Inc.'s Answer** to the persons named below at the addresses set forth via U.S. First Class Mail and electronic mail:

Mr. Michael Hochgraf  
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\_\_\_\_\_  
Karen M. Scruggs

Columbia, South Carolina  
This 14th day of June, 2021